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Amendment

LCO No. 6332

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Offered by:

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To: Subst. House Bill No. 6907

File No. 705

Cal. No. 494

**"AN ACT CONCERNING THE REVISION AND MODERNIZATION
OF MILK REGULATION STATUTES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective January 1, 2006*) (a) As used in this
4 section:

5 (1) "Commissioner" means the Commissioner of Agriculture.

6 (2) "Dealer" means any person, firm or corporation engaged in the
7 business of buying, receiving, selling, bartering, exchanging,
8 negotiating or soliciting the sale, resale or exchange of live poultry or
9 hatching eggs or a person, firm or corporation engaged in the
10 transportation, transfer or shipment of any live poultry or hatching
11 eggs or a producer who is a wholesaler, distributor or hauler of live
12 poultry or hatching eggs.

13 (3) "Hauler" means any person, firm or corporation that transports
14 live poultry or hatching eggs from premises to premises, to a
15 distributor, to a live bird market or to a dealer.

16 (4) "Live bird market" means a facility at which live poultry or
17 hatching eggs are congregated for sale or to be slaughtered and
18 dressed for sale to the public or restaurants or to be sold live for any
19 purpose.

20 (5) "Poultry" means any species of domestic fowl, including, but not
21 limited to, chickens, turkeys, ostriches, emus, rheas, cassowaries,
22 waterfowl and game birds raised for food production, breeding,
23 exhibition or sale.

24 (6) "Producer" means any person, firm or corporation engaged in
25 the breeding, raising or keeping of poultry for the purpose of food
26 production, hatching egg production or for show or exhibition.

27 (b) Annually, each poultry dealer conducting business within the
28 state shall apply for a license upon forms furnished by the
29 commissioner. The commissioner shall issue such license unless, in the
30 commissioner's sole discretion, the commissioner deems it in the best
31 interest of the public to refuse issuance thereof. In refusing to issue a
32 license, the commissioner shall give due regard to whether the
33 applicant has had such a license previously revoked or suspended or
34 has violated any state or federal law or regulation concerned with
35 interstate transport of live poultry and hatching eggs or live poultry
36 health requirements. Each license shall be nontransferable and shall be
37 in effect from July first through the last day of June of the next
38 succeeding year.

39 (c) Each license shall be shown, upon request, to any person with
40 whom the licensee conducts or proposes to conduct business.

41 (d) Any poultry dealer licensed under this section shall keep
42 accounts and records that fully and clearly disclose all transactions
43 related to the conduct of such dealer's business. Such records shall be

44 made available at any time for inspection by the commissioner or the
45 commissioner's authorized agent for the purpose of determining the
46 origin and destination of any live poultry handled by the dealer.
47 Information relating to the general business of the dealer that is
48 disclosed in the course of an inspection by the commissioner or by the
49 commissioner's authorized agent and that is not related to the
50 immediate purpose of the inspection shall be confidential and not
51 disclosed except as required by law.

52 (e) The provisions of this section do not apply to any person, firm or
53 corporation that is only a producer, except that a producer who
54 transports live poultry directly to a live bird market, wholesaler,
55 distributor or other dealer shall be deemed a hauler and subject to the
56 provisions of this section.

57 (f) The Commissioner of Agriculture may adopt regulations, in
58 accordance with the provisions of chapter 54 of the general statutes, to
59 ensure compliance with this section and to ensure the public health
60 and safety. Such regulations shall include: (1) Sanitation standards for
61 vehicles, crates, facilities and other appurtenances used to transport
62 and hold poultry or hatching eggs, both in transit and at any place
63 where poultry or hatching eggs are held for the purposes of being sold
64 or offered for sale; (2) the health requirements for poultry and hatching
65 eggs, including, but not limited to, required tests, vaccinations or other
66 methods used to prevent poultry disease; (3) the manner and form of
67 records to be kept, including, but not limited to, identification of the
68 origin of poultry or hatching eggs, poultry animal health records, test
69 results or copies of sales records and dates; and (4) individual bird and
70 premise identification.

71 (g) The commissioner may: (1) Revoke or suspend a poultry dealer's
72 license, or (2) assess an administrative civil penalty pursuant to section
73 22-7 of the general statutes for a violation of this section.

74 Sec. 502. Section 51-164n of the general statutes is repealed and the
75 following is substituted in lieu thereof (*Effective from passage*):

76 (a) There shall be a Centralized Infractions Bureau of the Superior
77 Court to handle payments or pleas of not guilty with respect to the
78 commission of infractions and violations under subsection (b) of this
79 section. Except as provided in section 51-164o, any person who is
80 alleged to have committed an infraction or a violation under
81 subsection (b) of this section may plead not guilty or pay the
82 established fine and any additional fee or cost for the infraction or such
83 violation.

84 (b) Notwithstanding any provision of the general statutes, any
85 person who is alleged to have committed (1) a violation under the
86 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
87 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-
88 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, or 12-326g,
89 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
90 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
91 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
92 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
93 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
94 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
95 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
96 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
97 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
98 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
99 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
100 14-153 or 14-163b, a first violation as specified in subsection (f) of
101 section 14-164i, section 14-219 as specified in subsection (e) of said
102 section, section 14-240, 14-249 or 14-250, subsection (a), (b) or (c) of
103 section 14-261a, section 14-262, 14-264, 14-267a, 14-269, 14-270, 14-275a,
104 14-278 or 14-279, subsection (e) of section 14-283, section 14-291, 14-
105 293b, 14-319, 14-320, 14-321, 14-325a, 14-326, 14-330 or 14-332a,
106 subdivision (1), (2) or (3) of section 14-386a, section 15-33, subsection
107 (a) of section 15-115, section 16-256, 16-256e, 16a-15 or 16a-22,
108 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,
109 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,

110 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-
111 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,
112 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297, 19a-301,
113 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425, 19a-502,
114 20-7a, 20-14, 20-158, 20-231, 20-257, 20-265 or 20-324e, subsection (a) of
115 section 20-341, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38, 21-
116 39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-30,
117 subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or 21a-
118 77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-159,
119 21a-201, 21a-211, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36,
120 [22-37,] 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54,
121 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-
122 318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b) or (e) of section
123 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415, 22a-66a or
124 22a-246, subsection (a) of section 22a-250, subsection (e) of section 22a-
125 256h, subsection (a) of section 22a-381d, section 22a-449, 22a-461, 23-37,
126 23-38, 23-46 or 23-61b, subsection (a) or (b) of section 23-65, section 25-
127 37, 25-40, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61,
128 26-64, 26-79, 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138,
129 26-141, 26-207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-
130 109, 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277, 29-316, 29-318, 29-
131 341, 29-381, 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15,
132 31-16, 31-18, 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40,
133 31-44, 31-47, 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a)
134 or (c) of section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b
135 or 31-134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-
136 230, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-
137 54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-8a, 49-16 or
138 53-133, subsection (a) or (b) of section 53-211, or section 53-212a, 53-
139 249a, 53-252, 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323,
140 53-331, 53-344 or 53-450, or (2) a violation under the provisions of
141 chapter 268, or (3) a violation of any regulation adopted in accordance
142 with the provisions of section 12-484, 12-487 or 13b-410, shall follow
143 the procedures set forth in this section.

144 (c) If any person who is alleged to have committed an infraction or
145 any violation specified in subsection (b) of this section elects to pay the
146 fine and any additional fees or costs established for such infraction or
147 violation, he shall send payment, by mail or otherwise, to the
148 Centralized Infractions Bureau, made payable to the "clerk of the
149 Superior Court". Such payment shall be considered a plea of nolo
150 contendere and shall be inadmissible in any proceeding, civil or
151 criminal, to establish the conduct of the person, provided the
152 provisions of this section and section 51-164m shall not affect the
153 application of any administrative sanctions by either the
154 Commissioner of Environmental Protection authorized under title 26
155 or the Commissioner of Motor Vehicles authorized under title 14,
156 except that no points shall be assessed by the Commissioner of Motor
157 Vehicles against the operator's license of such person for such
158 infraction or violation. The Judicial Department shall provide notice of
159 the provisions of this subsection to law enforcement agencies and
160 direct each law enforcement agency issuing a complaint to provide
161 such notice to any person who is alleged to have committed a motor
162 vehicle infraction or violation at the time a complaint alleging such
163 conduct is issued to such person.

164 (d) If the person elects to plead not guilty, he shall send the plea of
165 not guilty to the Centralized Infractions Bureau. The bureau shall send
166 such plea and request for trial to the clerk of the geographical area
167 where the trial is to be conducted. Such clerk shall advise such person
168 of a date certain for a hearing.

169 (e) A summons for the commission of an infraction or of a violation
170 specified in subsection (b) of this section shall not be deemed to be an
171 arrest and the commission of an infraction or of any such violation
172 shall not be deemed to be an offense within the meaning of section 53a-
173 24.

174 (f) The provisions of this section shall apply to the alleged
175 commission of an infraction or a violation specified in subsection (b) of
176 this section by a minor but, in a case involving a minor, a parent or

177 guardian shall sign any plea of nolo contendere or of not guilty on any
178 summons form issued in connection with the matter.

179 (g) In any trial for the alleged commission of an infraction, the
180 practice, procedure, rules of evidence and burden of proof applicable
181 in criminal proceedings shall apply. Any person found guilty at the
182 trial or upon a plea shall be guilty of the commission of an infraction
183 and shall be fined not less than thirty-five dollars or more than ninety
184 dollars.

185 (h) In any trial for the alleged commission of a violation specified in
186 subsection (b) of this section, the practice, procedure, rules of evidence
187 and burden of proof applicable in criminal proceedings shall apply.
188 Any person found guilty at the trial or upon a plea shall be guilty of
189 the commission of a violation and shall be fined not more than the
190 statutory amount applicable to such violation.

191 Sec. 503. Section 51-344a of the general statutes is repealed and the
192 following is substituted in lieu thereof (*Effective from passage*):

193 (a) Whenever the term "judicial district of Hartford-New Britain" or
194 "judicial district of Hartford-New Britain at Hartford" is used or
195 referred to in the following sections of the general statutes, it shall be
196 deemed to mean or refer to the judicial district of Hartford on and after
197 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-
198 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,
199 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-
200 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-
201 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,
202 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-
203 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-
204 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,
205 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,
206 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,
207 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,
208 21a-190i, 21a-196, 22-7, [22-37,] 22-64, 22-195, 22-228, 22-248, 22-254, 22-

209 320d, 22-326a, 22-344b, 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34,
210 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-163m,
211 22a-167, 22a-180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-
212 226, 22a-226c, 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g,
213 22a-285j, 22a-310, 22a-342a, 22a-344, 22a-361a, 22a-374, 22a-376, 22a-
214 408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-
215 65m, 25-32e, 25-36, 28-5, 29-158, 29-161z, 29-317, 29-323, 29-329, 29-334,
216 29-340, 29-369, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-
217 284, 31-285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-
218 471a, 36a-494, 36a-517, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-
219 26, 36b-27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-
220 52, 38a-134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-
221 225, 38a-226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-
222 774, 38a-776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-
223 110d, 42-110k, 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-
224 44a, 51-81b, 51-194, 52-146j, 53-392d and 54-211a.

225 (b) If the term "judicial district of Hartford-New Britain" or "judicial
226 district of Hartford-New Britain at Hartford" is used or referred to in
227 any public act of 1995, 1996, 1997 or 1998 or in any section of the
228 general statutes which is amended in 1995, 1996, 1997 or 1998 it shall
229 be deemed to mean or refer to the judicial district of Hartford on and
230 after September 1, 1998.

231 (c) If the term "judicial district of Hartford-New Britain at New
232 Britain" is used or referred to in any public act of 1995, 1996, 1997 or
233 1998 or in any section of the general statutes which is amended in 1995,
234 1996, 1997 or 1998 it shall be deemed to mean or refer to the judicial
235 district of New Britain on and after September 1, 1998.

236 Sec. 504. Section 22-37 and subsection (g) of section 22-358 of the
237 general statutes are repealed. (*Effective from passage*)"